THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24304 of 2007

Between:

Ponthala Subbamma.

.. PETITIONER

and

The State of A.P. and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24304 of 2007

ORDER:

It is the case of the petitioner that she has been assigned the land admeasuring Ac.5-19 cents in Sy.No.712-2 situated at Valasapalli Village, Madanapalle Mandal, Chittoor District, vide DKT Patta in A.M.No.946/4/80, dated 31-10-1970. While so, the 3rd respondent, without issuing any notice and without following the principles of natural justice, passed the order in Roc.A/719/2007, dated 04-10-2007, resuming the land in question into the Government custody on the ground that the said land is required for public purpose i.e., for providing house site pattas to the weaker section families as per condition No.17 of DKT patta. Aggrieved by the said order, the petitioner filed an appeal along with stay application before the 2nd respondent on 12-11-2007. It is stated that pending disposal of the appeal, the 3rd respondent is taking steps to dispossess the petitioner from the land in question.

As the appeal is pending, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 2nd respondent to consider and dispose of the appeal itself.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the appeal filed against the order of the 3rd respondent in proceedings in Roc.A/719/2007, dated 04-10-2007, as expeditiously as possible, in accordance with law. Pending disposal of the appeal, the 3rd respondent is directed not to dispossess the petitioner from the land in question. There shall be no order as to costs.

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16-11-2007

Note:
Issue C.C. in three days
(B/o)
Prv